

GALLOWAY, JOHNSON, TOMPKINS, BURR & SALTZ

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MEMO ENDORSED

Please Reply to the New Orleans Office

July 15, 2008

VIA HAND DELIVERY

The Honorable William H. Pauley, III
United States District Court
Southern District of New York
500 Pearl Street, Room 2210
New York, New York 10007

Re: BBC Chartering & Logistic GmbH & Co. K.G. v. Usiminas Mecanica S/A, et al
USDC, Southern District of New York, Case No. 08-Civ. 200 (WHP)
Our File No. 0106-41-6

Dear Judge Pauley:

Pursuant to your individual practices and procedures, BBC Chartering & Logistic GmbH & Co. K.G. ("BBC") on behalf of all parties requests an additional extension of pending dates scheduled for defendants' motions to dismiss and for BBC to conduct jurisdictional discovery.

The parties have previously requested two extensions which Your Honor granted. The reason for this additional request is to accommodate the corporate deposition of defendant Usiminas Mecanica in Brazil. Usiminas Mecanica has indicated that the earliest it can accommodate BBC's request is Thursday, July 31, 2008.

Given that deposition(s) would take place that week, it is still a slight possibility that the parties can fully brief the motions before the August 22 hearing date; however, the parties jointly request that the hearing date be continued to September 22, or such further date as Your Honor deems appropriate. This would allow ample time to account for any unforeseen contingencies, including potential disputes related to the scope of discovery/responses, which could easily derail the progression of the matter before that date, prompting further requests for adjournment.

The following date changes are also proposed in line with the foregoing:

- Defendants' motions to be file July 25, 2008
- Plaintiff's opposition papers due Friday August 22

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The Honorable William H. Pauley, III
July 15, 2008
Page 2

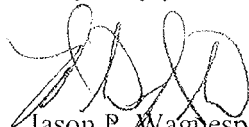
- Defendants' replies, if any, due Friday September 5.

In any event, the parties shall continue to work together and strive to complete discovery and briefing as expeditiously as possible.

We thank the Court for its consideration of the foregoing request.

With an expression of respect, we remain

Very truly yours,


Jason P. Wagnerspack
Michael J. Nicaud

JPW/MJN

cc: **VIA FACSIMILE**
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Application granted.
SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.

7/23/08

*Oral argument is adjourned
to September 29, 2008
at 2:15 p.m.*